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OFFICE OF PETITIONS

In re Application of :
Abdullah et al. :
Application No. 10/028,346 :
Filed: December 20, 2001 : ON PETITION
Attorney Docket No. :
15179 :

This is a decision on the petition under 37 CFR 1.137(a), filed March 10, 2004, to revive the above-identified application. The petition is properly treated as a petition under 37 CFR 1.181, to withdraw the holding of abandonment.

The petition is granted.

The above-identified application became abandoned for failure to timely reply to the Notice to File Missing Parts of Nonprovisional Application, mailed February 22, 2002. The Notice set a two (2) month period for reply. No reply having been received, the above-identified application became abandoned April 23, 2003. A Notice of Abandonment was mailed on January 6, 2004.

Applicant's Assertion


Applicant avers non-receipt of the Notice, mailed February 22, 2002. In support, Applicant has provided the necessary statements and copies of the docket record where the non-received Notice would have been entered had it been received and docketed. Applicant has demonstrated by a preponderance of the evidence that the Office action was not received.

The Notice of Abandonment is hereby withdrawn. A refund of the petition fee, \$110.00, has been credited to deposit account no. 19-1013 as authorized in the Response to the Notice to File Missing Parts, filed with the instant petition.

The Oath/declaration has been entered and made of record.

The application file is being forwarded to the Office of Initial Patent Examination for continued processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 305-0014.


Derek L. Woods
Petitions Attorney
Office of Petitions